

A.G. Contract No.: KR04-1578TRN  
ECS File No.: JPA 04-092  
Project: Master Maintenance Traffic  
Signals/Lighting  
TRACS No.: n/a  
Budget Source Item No.: n/a

**MASTER MAINTENANCE  
TRAFFIC SIGNALS/LIGHTING**

**INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF MARICOPA

**THIS AGREEMENT** is entered into this date January 20, 2005, pursuant to Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF MARICOPA, acting by and through its MAYOR and CITY COUNCIL (the "City").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated the undersigned the authority to execute this Agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City

3. The design and construction of the State Highway System within the City has created the need to assign maintenance responsibilities between the State and the City for electrical facilities, located at the intersections of City streets and the State Highway System. Electrical facilities include traffic signals, lighting and associated equipment. The maintenance identified in this Agreement account for design standards that were used to install the facilities. Maintenance activities include the timing, operation and maintenance of traffic signals, operation and maintenance activities of highway lighting. Locations include the intersections of State Route (SR) 347 and SR 238, as shown on Exhibit "A", attached hereto and made a part hereof

**THEREFORE**, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. 27329  
Filed with the Secretary of State  
Date Filed: 01/20/05  
Janice K. Brewer  
Secretary of State

By: Darryl D. Graenewald

## **II. DEFINITIONS**

1. "Electrical Facilities" – means Traffic Signals and Highway Lighting
2. "Intersection" – means an area shared by two or more roads, whose main function is to provide for the change of route directions. In this Agreement one of the two roads is a State or Interstate Highway, and the other road is a local crossroad
3. "Crossroads" – means existing or new local streets or arterials, which cross the State Highway
4. "Locations" – means the intersections of SR 68 and SR 95 with City streets
5. "Frontage Road" – means roadways generally parallel to the State highway mainline, which provides access to severed property and/or collect and distribute traffic between local streets and highway interchanges.
6. "Intersection" – means an area shared by two or more roads, whose main function is to provide for the change of route directions. In this Agreement one of the two roads is a State highway, and the other road is a local crossroad.
7. "Street and Sign Lighting" – means luminaries, poles, support structures, wiring and other associated equipment used to illuminate cross streets, pedestrian facilities and signs.
8. "Traffic Signal Systems" – means signal heads, controllers, vehicle detectors, cabinets, poles and support structures, wiring and other associated equipment used to automatically control traffic at an intersection
9. "Transfer of Blue Stake Responsibility" – means the State transfers to the City the responsibility and liability for blue-staking the electrical facilities and associated electrical equipment governed by this Agreement, as blue-staking is defined by Arizona Revised Statutes, Chapter 2, Article 6 3, Sections 40-360.21 through 40-360.32.
10. "Emergency Pre-emptive" means transponders and controlling devices as required to manipulate the signal indication to green or go for mainline or state route by remote control operated by authorized personnel in emergency vehicles while responding to an emergency call.

## **III. SCOPE OF WORK**

1. The State will:
  - a. Provide blue stake services for the electrical facilities and associated equipment governed by this Agreement.
  - b. Provide maintenance and operation, except electric service, for all electrical facilities shown on Exhibit A, except for emergency vehicle pre-emption equipment.
2. The City will:
  - a. Be responsible for all electrical energy costs to operate the electrical facilities and associated electrical equipment at the locations identified in Exhibit A.
  - b. Provide payments for installation and provide maintenance for City's emergency vehicle pre-emption equipment.
  - c. Provide payments for all electrical service costs for all electrical facilities shown on Exhibit A.

3 It is understood and agreed by both Party's that:

a. Any future installations at new intersections, or significant additions to existing intersections or betterment of electrical facilities and/or associated equipment governed by this Agreement, upon agreement of both Party's, will be executed by a Amendment to this Agreement, as they occur.

b. Any new installations shall be based on a traffic engineering study conducted by, or concurred with by, the State.

#### **IV. MISCELLANEOUS PROVISIONS**

1. The terms, conditions and provisions of this Agreement shall remain in full force and effect for successive periods of five (5) years from the effective date and may be amended (by Addendum), upon mutual consent of both party's. This Agreement shall be reviewed and all reviews shall be completed, prior to automatic renewal, within 60 days prior to the end of the 5<sup>th</sup> year anniversary date.

2. This Agreement shall become effective upon filing with the Secretary of State.

3. This Agreement may be cancelled by the State in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36. The party's to this Agreement shall comply with Executive Order Number 99-4 issued by the Governor of the State of Arizona and incorporated herein by reference regarding "Non-Discrimination".

6. Non-Availability of Funds: Every payment obligation of the State under this contract is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this contract, this contract may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

7. In the event of any controversy, which may arise out of this Agreement, the party's hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518

8. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 S. 17<sup>th</sup> Avenue – Mail Drop 616E  
Phoenix, AZ 85007  
FAX (602) 712-7424

City of Maricopa  
Attn: Public Works Director  
P.O. Box 610  
Maricopa, AZ 85239  
FAX: (520) 568-9120

For Traffic Signals and Lighting Maintenance and  
Operations Issues:  
Arizona Department of Transportation  
Regional Traffic Signal Supervisor  
Attn: Paul Sykes  
1444 W. Grant Road  
Tucson, AZ 85745  
FAX: (520) 838-2817

For Traffic Timing Issues:  
Arizona Department of Transportation  
Traffic Operation Section  
2014 South 22<sup>nd</sup> Avenue  
Phoenix, AZ 85009  
FAX: (602) 712 3305

9. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the party's are authorized under the laws of this state to enter into this Agreement and that the Agreement is in proper form.

#### V. EXHIBITS

a. Location of Facilities


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IN WITNESS WHEREOF, the party's have executed this Agreement the day and year first above written.

CITY OF MARICOPA

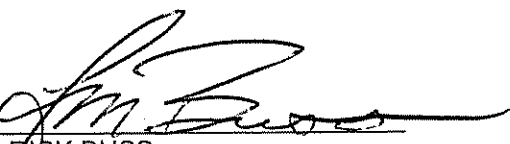
STATE OF ARIZONA

Department of Transportation

By   
KELLY ANDERSON  
Mayor

By   
DOUGLAS A. FORSTIE, P.E.  
Deputy State Engineer, Operations

ATTEST:

By   
RICK BUSS  
City Clerk

# EXHIBIT A

(City of Maricopa - Master Service Agreement)

## Location of Facilities

### LOCATION

### Mile Post (MP)

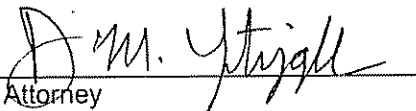
#### SR 347

1. Lakeview Drive/Cobblestone Farms Road
2. Rancho El Dorado Commercial/Cobbleston Driveway
3. Smith-Enke Road/SR 238
4. Bashas/Frys
5. Edison Road
6. Bowlin Road

APPROVAL OF THE CITY OF MARICOPA

I have reviewed the above referenced proposed intergovernmental Agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and CITY OF MARICOPA and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 16<sup>th</sup> day of November, 2004.

  
City Attorney



## Meeting Minutes

### Council Work Session November 16, 2004

4:27 P.M.  
Call to Order  
Roll Call

A Work Session of the City of Maricopa Council was held at City Hall (44624 West Garvey Avenue – Maricopa, AZ 85239). The meeting was called to order at 4:27 pm. Those present were Mayor Kelly Anderson, Vice-Mayor Murphree, Council Members Stephen Baker, Will Dunn, Edward Farrell, Kelly Haddad, City Attorney Denis Fitzgibbons, City Manager/City Clerk Rick Buss, Finance Director Roger Kolman, PRL Director Marty McDonald, Deputy Clerk Vanessa Bueras, Acting Public Works Director/City Engineer Robert Jackson, Planner Amy Haberbosch-Arco and Assistant Planner Brandy Schade.

Invocation  
Pledge of Allegiance  
Approval of Minutes  
Agenda Item 4.1- ADOT,  
Intergovernmental Agreement.

There was no invocation.  
There was no pledge of allegiance.  
There was no approval of minutes.

The City Council discussed an Intergovernmental agreement with the Arizona Department of Transportation (ADOT), providing for the ongoing maintenance of all current and future traffic signals along state routes. Acting Public Works Director/City Engineer Bob Jackson presented the agenda item. Mr. Jackson stated that there will be 6 lights put in initially. The Initial Intersections covered by this IGA are:

- SR 347 at Lakeview/Cobblestone Farms Road
- SR 347 at El Dorado Commercial/Cobblestone Driveway
- SR 347 at Smith-Enke Road/SR 238
- SR 347 at Basha's/ Fry's
- SR 347 at Edison Road
- SR 347 at Bowlin Road

Mayor Anderson asked if there was potential for adding four (4) more lights in the future. Mr. Jackson responded that yes more lights could be added by amendment. Finance Director Roger Kolman questioned if the lights were pre-wired for pre-amp. Mr. Jackson responded that yes they were pre-wired because it is cheaper to do it now rather than later. Mr. Jackson estimated it costs \$1,000 per year to operate a traffic light.

Agenda Item 4.2- Budgetary  
Adjustment.

The City Council discussed an amendment to the contract for City Engineer and Acting Public Works Director Robert Jackson, increasing his contract by an amount of \$45,000, to fund the remainder of the 2004-2005 fiscal years. Finance Director Roger Kolman presented this agenda item. Mr. Kolman began by stating that there was an error in the wording of the agenda item. Mr. Kolman stated that this agenda item is actually an amendment to the contract not a budgetary adjustment. Councilmember Dunn questioned why the pay increase from \$30,000 to \$45,000. City Attorney Denis Fitzgibbons answered by saying that the difference in pay is due to a longer period of time, seven (7) months as opposed to five (5) months. City Manager Buss praised Mr. Jackson, adding that Mr. Jackson recently brought the City a grant for \$163,000.

Agenda Item 4.3- Open Space  
Guidelines.

The City Council discussed open space guidelines for use in technical advisory committee reviews, departmental reviews, and staff recommendations to City Council. Parks, Recreation and Libraries Director Marty McDonald presented this agenda item. Mr. McDonald began by stating that he has researched cities both inside and outside of Arizona on open space. Mr. McDonald went over some of the visions and goals of the PRL Department. Mr. McDonald stated that one of visions is to preserve open space and the open space amenities. Mr. McDonald stated that currently the City has a 15% open space requirement. Councilmember Kelly Haddad wanted to know at what point does this go from a guideline to a requirement. Mr. McDonald responded that it is up to the Council when this becomes a requirement. Councilmember Haddad stated that he would like to see the requirement go from



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**Agenda Item 4.4- SUB 04-58:**  
**Santa Rosa Springs Parcel 2.**

15% to 20% open space. Councilmember Stephen Baker agreed with Mr. Haddad. Mr. McDonald suggested the Council research open space to have a better understanding about the subject, and the guidelines would be used in TAC review. Councilmember Baker asked to have hypoallergenic sod grass instead of stollen.

The City Council discussed the "Final Plat" for Santa Rosa Springs Parcel 2 a subdivision located south of the Maricopa Casa Grande Highway and west of Porter Road, Section 35, Township 4S, Range 3E. Planner Amy Haberbosch-Arco presented the agenda item. There was minor discussion.

**Agenda Item 4.5- Liquor License**  
**Application: Native New Yorker.**

The City Council discussed the consideration to recommend to the Arizona State Liquor Board for a Liquor Store License application submitted by Randy Nations, on behalf of the Native New Yorker, located at 21164 North John Wayne Parkway, Maricopa, AZ 85239. Councilmember Baker stated that he would like sections 13 & 16 amended to show better measurements. Mr. Baker would like these sections to reflect that the nearest school is about 0.8 miles away and the nearest church is about 0.5 miles away. Parks Recreation and Libraries Director Marty McDonald stated that he met Mr. Nations and thinks he's a good corporate citizen. City Manager/City Clerk Rick Buss stated that he spoke to the candidate and a representative will be at tonight's City Council meeting to answer questions.

**Agenda Item 4.6- Public Safety**  
**Advisory Committee.**

The City Council discussed the selection of seven (7) applicants as members of the public safety advisory committee. Vice-Mayor Brent Murphree declared a conflict of interest because he applied to be on the committee. City Manager/City Clerk Rick Buss listed the names of the seven recommended committee members selected by a team of Chief Rodriguez, Sgt. Dickson, and Kathy Paulsen which include: Vice Mayor Brent Murphree, Timothy Lafferty, Cindy Inskeep, Joe Trujillo, Shana Kerr, Arb Campbell and James Atkinson.

**Agenda Item 4.7- Public Works**  
**Advisory Committee.**

The City Council discussed the selection of five (5) applicants as members of the public works advisory committee. City Manager/City Clerk Rick Buss presented the agenda item. Mr. Buss stated that the selection was an easy one since there were only five (5) applicants which include: Councilmember Edward Farrell, Matt Gleash, Christopher Tyk, Dan Frank and Acting Public Works Director/City Engineer Robert Jackson. Mr. Buss recommended that the committee go on with five (5) members and get two (2) more at a later time. Councilmember Edward Farrell commented that Mr. Larry Braund would like to continue to serve on the committee and is in the process of getting his application in.

**Agenda Item 4.8- SUB 04-10**  
**McDavid Business Park.**

The City Council discussed the Final Plat of the McDavid Business Park; a 56.69 acre parcel on the north side of Honeycutt Road located directly south and west of the Southern Pacific Railroad tracks. This is a 25 lot Industrial subdivision (Planning Case PZ-061-00). Planner Amy Haberbosch-Arco presented the agenda item. She stated that staff recommends approval on this project. Councilmember Baker stated that he would like developers to provide Council with color copies of exhibits.

**Agenda Item 4.9 & 4.10- SUB 04-**  
**34 & SUB 04-33.**

The City Council discussed the Final Plat approval for the "Dunn Ranch Final Plats Unit 1-Unit 3." These 3 plats encompass a  $\pm$  142 acre development with a total of 640 lots located at the southeast corner of Bowlin Road and John Wayne Parkway. Vice-Mayor Murphree stated that he does not feel that this agenda item is ready to be approved at tonight's meeting based on the information submitted and based on the things that they still need to do in planning and zoning. Councilmember Farrell stated that he feels that everybody is not on the same page and this issue needs to be brought up at a later time. Councilmember Baker stated that he would like all the developers to provide color copies of the exhibits. Councilmember Haddad stated that he also feels that developers need to provide better exhibits to be able to show the lot sizes. Mayor Anderson would like to support Ms. Haberbosch-Arco's recommendation of continuance but would like developers not to take up staff's time by trying to do something at the last minute. Councilmember Farrell stated that he recommends all of the developers to come in front of the Public Works Committee





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	before they go in front of the Council. There was discussion about this project. City Manager/City Clerk Buss stated that his personal opinion is to have these developers go back to Planning and Zoning Commission, get things worked out, go back to staff and then City Council.
Agenda Item 5.0 - Report from the Mayor.	There was no report from the Mayor.
Agenda Item 6.0 - Call to the Public.	There was no call to the public.
Agenda Item 7.0 - Executive Session.	There was no executive session.
Agenda Item 8.0 - Adjournment	Councilmember Baker motioned to adjourn. Second was made by Vice-Mayor Murphree. The motion passed unanimously, 6-0.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the work session of the Maricopa City Council held on the 16<sup>th</sup> day of November, 2004. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 30th day of November 2004.

Vanessa Bueras, Deputy Clerk



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### Regular Meeting November 16, 2004

6:03 P.M. Call to Order Roll Call	<p>A regular meeting of the City of Maricopa Council was held at Maricopa High School (45012 West Honeycutt Avenue – Maricopa, AZ 85239). The meeting was called to order at 6:03 pm. Those present were Mayor Kelly Anderson, Vice-Mayor Brent Murphree, Council Members Stephen Baker, Will Dunn, Edward Farrell, Kelly Haddad, City Attorney Denis Fitzgibbons, City Manager/City Clerk Rick Buss, Finance Director Roger Kolman, PRL Director Marty McDonald, IT/Telco Manager Richard Terrell, Acting Public Works Director/City Engineer Robert Jackson, Deputy Clerk Vanessa Bueras, Planner Amy Haberbosch-Arco and Assistant Planner Brandy Schade.</p>
Invocation	<p>Councilmember Baker delivered the invocation.</p>
Pledge of Allegiance	<p>Dallas Paulsen led meeting attendees in the pledge of allegiance.</p>
Agenda Items 3.1 and 4.1- Board of Adjustment and Public Hearing- <u>VAR04-03.</u>	<p>Councilmember Haddad moved to convene the Board of Adjustment. Second was made by Councilmember Baker. The motion passed unanimously, 6-0.</p> <p>Planner Amy Haberbosch-Arco presented the request. She stated that Mr. Bandin is requesting a variance to build a single family residence on a currently vacant lot. She stated that Mr. Bandin does meet all the setbacks required by The City of Maricopa. Mr. Bandin was not present to present his request.</p> <p>The City Council held a public hearing to receive public comment relative to a request by Jessie V. Bandin for a variance from the minimum area per dwelling unit of Article 8 of the City of Maricopa Zoning Ordinance.</p> <p>There were no comments from the public.</p> <p>Councilmember Dunn motioned to approve VAR04-03. Second was made by Councilmember Baker. Motion passed unanimously, 6-0.</p> <p>Councilmember Dunn moved to adjourn the Board of Adjustments and re-convene the Public Hearing portion of the meeting. Second was made by Vice-Mayor Murphree.</p>
Agenda Item 4.2- Public Hearing- <u>Central Arizona</u> <u>Association of Governments.</u>	<p>The City Council held a public hearing to discuss possible projects for the FY 2005 CDBG application.</p> <p>Heather Patel from CAAG addressed the council, stating that the main goal of the CDBG is to help low income families. Ms. Patel stated that she was present to take public comment, staff and council thoughts on ideas for CAAG allocations. Ms. Patel stated that she would like to get together with Council in a Work Session setting within the next couple of months to decide on the top 5 projects that Council would like to do. Mayor Anderson asked if there was a deadline after this public hearing to hear additional thoughts and ideas. Ms. Patel responded by saying that this is the last public hearing required by CAAG but if the Council chooses they may have additional public hearings. Ms. Patel stated that CAAG is looking for a Resolution to be adopted on February 15, 2005 and that advertising needs to be made stating that the Resolution will be adopted on the agreed projects.</p> <p>Ideas proposed by the public included: Jeneane Brown of Thunderbird Farms wants an equestrian center. Ms. Brown would like a facility where kids can house their animals and hold local fairs and rodeos. Margaret Jackson of Thunderbird Farms wants a State medical facility and Gina D'Abella of ECO, Inc. wants environmental projects to be considered.</p>



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### Approval of Minutes

Ideas proposed by council and staff included: funding for materials to clean up graffiti, clean-up programs and a facility for DES to be able to provide their services.

Vice Mayor Murphree motioned to close the public hearing. Second was made by Councilmember Dunn. Motion passed unanimously, 6-0.

### Consent Agenda

Councilmember Baker moved to approve minutes from the November 3, 2004 City of Maricopa City Council Work Session and the November 3, 2004 City of Maricopa City Council Regular Meeting. Second was made by Councilmember Haddad. The motion passed unanimously, 6-0.

The City Council discussed and took action on consent agenda items 6.1 through 6.8. **Consent items 6.3, 6.6, and 6.8 were pulled from the consent agenda.** Consent Agenda items were as follows:

- 6.1    **\*\* ADOT, Intergovernmental Agreement.** The City Council will discuss and possibly take action on the approval of an intergovernmental agreement with the Arizona Department of Transportation (ADOT), providing for the ongoing maintenance of all current and future traffic signals along state routes. **Discussion and Action.**
- 6.2    **\*\* Budgetary Adjustment.** The City Council will discuss and possibly take action on the approval of a budgetary adjustment for City Engineer and Acting Public Works Director Robert Jackson, increasing his contract by an amount of \$45,000, to fund the remainder of the 2004-2005 fiscal years. **Discussion and Action.**
- 6.3    **\*\* Open Space Guidelines.** The City Council will discuss and possibly take action on the approval of open space guidelines for use in technical advisory committee reviews, departmental reviews, and staff recommendations to City Council. **Discussion and Action.**
- 6.4    **\*\* Canvass of the Vote.** The City Council will discuss and possibly take action on canvassing the vote for the 2004 City of Maricopa Permanent Base Adjustment (PBA) Election. **Discussion and Action.**
- 6.5    **\*\* December 21, 2004 Regular Meeting.** The City Council will discuss and possibly take action on canceling the December 21, 2004 Regular Meeting in consideration of the holiday season. **Discussion and Action.**
- 6.6    **\*\* VAR04-03: 4414 West Maricopa Avenue.** The City Council shall discuss and possibly take action on a request by Jessie V. Bandin for a variance from the minimum area per dwelling unit of Article 8 of the City of Maricopa Zoning Ordinance; more specifically Section 805 requires 54,450 square feet per dwelling unit and the existing legally established lot is only 7,000 square feet in size. **Discussion and Action.**
- 6.7    **\*\* SUB-04-58: Santa Rosa Springs, Parcel 2.** Approval of the "Final Plat" for Santa Rosa Springs Parcel 2" a subdivision located south of the Maricopa Casa Grande Highway and west of Porter Road, Section 35, Township 4S, Range 3E. **Discussion and Action**



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- 6.8    **\*\*    Liquor License Application:    Native New Yorker.**  
Consideration of recommendation to the Arizona State Liquor Board for a Liquor Store License application submitted by Randy Nations, on behalf of the Native New Yorker, located at 21164 North John Wayne Parkway, Maricopa, AZ 85239. **Discussion and Action.**

Councilmember Baker moved to approve the consent agenda items 6.1 through 6.8, with the exception of 6.3, 6.6, and 6.8. Second was made by Councilmember Haddad. The motion passed unanimously, 6-0.

Mayor Anderson recognized in attendance Supervisor Elect David Snider, Delia Carlyle of Ak-Chin Community, Sgt. Dickson, and School Board Elect Margaret Jackson.

**Agenda Item 6.3    \*\*    Open Space Guidelines.**

The City Council discussed and took action on the approval of open space guidelines for use in technical advisory committee reviews, departmental, reviews, and staff recommendations to City Council.

Parks, Recreation, and Libraries Director, Marty McDonald talked about the visions and goals for the PRL Department.

Councilmember Baker motioned to approve the open space guidelines. Second was made by Councilmember Haddad. The motion passed unanimously, 6-0.

**Agenda Item 6.8    \*\*    Liquor License Application:    Native New Yorker.**

The City Council took action on the recommendation for approval of the Native New Yorker Liquor License.

Councilmember Baker stated that he would like to amend sections 13 and 16 to reflect that the church is 0.5 miles and the closest school is approximately 0.8 miles away.

Amy Nations with Arizona Liquor Industry Consultants stated that she would file the motions on Wednesday, November 17, 2004.

Vice-Mayor Murphree motioned to recommend for approval the liquor license application for Native New Yorker with the stipulations noted above. Second was made by Councilmember Baker. The motion passed unanimously, 6-0.

**Agenda Item 6.9    IO, Inc., Economic Development Services.**

The City Council discussed and took action on the approval of an agreement with IO, Inc. for the provision of Economic Development Services.

A power point presentation was given by City Manager/City Clerk Rick Buss. Some of the topics that Mr. Buss talked about included: What is economic development? Key components of a successful economic development. He also spoke about where the City of Maricopa stands now in regards to property tax and jobs in Maricopa. Mr. Buss also spoke briefly about many of Ms. Morfessis' accomplishments.

Councilmember Farrell stated that he was very impressed with all of Ms. Morfessis' accomplishments. Councilmember Dunn questioned whether or not Ms. Morfessis would have an office in the City of Maricopa. Mr. Buss answered that yes she would have an office but she will not be a full time employee for the city. Councilmember Murphree questioned whether Ms. Morfessis would have staff supporting her. Mr. Buss answered that yes she would. Councilmember Dunn stated that Ms. Morfessis seems wonderful and that he thinks she's awesome but that he was disappointed that the council could not meet her at tonight's council meeting.

David Snider addressed the council stating that Ms. Morfessis is an icon of economic



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development across the country. He stated that she has enormous contacts and that she will help develop the City of Maricopa.

### **Agenda Item 6.10 – Public Safety Advisory Committee.**

The City Council discussed and took action on the selection of seven (7) applicants as members of the public safety advisory committee.

Vice-Mayor Murphree declared a conflict of interest on this agenda item since he was one of the applicants. Councilmember Baker stated that he feels that a committee should stand on its own feet and work hand in hand. Mr. Baker feels that a committee that works on its own without a Councilmember on the committee can bring more to council. Councilmember Haddad mentioned that he feels members of the Council should not be on the Committees because he agrees with Councilmember Baker in that the committee members can bring Council an outside view from the community rather than one that's already somewhat biased.

Councilmember Dunn stated that he disagreed with both Councilmember Baker and Councilmember Haddad. Mr. Dunn stated that the Council has been elected to serve as both Councilmembers and as guidance. Mr. Dunn feels that Councilmembers are elected by the community to provide direction as well as serve as members of the Council. Mr. Dunn stated that by having Council on these committees it makes the community that much stronger. Mr. Dunn feels that committees are very important and feels that serving on a committee is a lot of work and he would like to commend Councilmember Farrell and Vice-Mayor Murphree for taking on this role.

Councilmember Farrell feels that it is important for Councilmembers to be a part of leadership roles and that it is important to keep that link between Councilmembers and committees. Councilmember Farrell feels that it's important for a committee to know what's going on through a Councilmember or in the case of the Public Works Committee, via Acting Public Works Director Bob Jackson.

Mayor Anderson agrees with Councilmember Farrell but feels that it is important for other committee members to assume leadership roles via a Chair or Vice-Chair to relieve some of the load off Councilmembers.

Councilmember Farrell motioned to appoint the seven (7) recommended applicants as members of the public safety advisory committee. Second was made by Councilmember Dunn. Motion passed 3-2. Councilmembers Baker and Haddad voted against the motion.

The following seven (7) members were appointed: Vice-Mayor Brent Murphree, Timothy Lafferty, Cindy Inskeep, Joe Trujillo, Shana Kerr, Arb Campbell, and James Atkinson.

### **Agenda Item 6.11 – Public Works Advisory Committee.**

The City Council took action on the selection of five (5) applicants as members of the public works advisory committee.

Councilmember Farrell declared a conflict of interest on this agenda item since he was one of the applicants.

Councilmember Dunn motioned to approve the five (5) members that applied and to continue to solicit for two (2) more. Second was made by Mayor Anderson. Motion passed 3-2. Councilmembers Baker and Haddad voted against the motion.

The following five (5) members were appointed: Councilmember Edward Farrell, Matt Gleash, Christopher Tyk, Dan Frank, and Acting Public Works Director/City Engineer Bob Jackson.

### **Agenda Items 6.12 – SUB 04-10 McDavid Business Park.**

The City Council took action on the Final Plat approval of the McDavidd Business Park; a 56.69 acre parcel on the north side of Honeycutt Road located directly south and west of the Southern Pacific Railroad tracks. This is a 25 lot industrial



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subdivision (Planning Case PZ-081-00).

Steve Tomita from OTAK spoke about the stipulations put by staff. Mr. Tomita stated that he would like some of these stipulations amended. There was a discussion between Mr. Tomita and Council regarding the height of the walls that are going to be adjacent to McDavid Road. Vice-Mayor Murphree stated that he was concerned that all the documentation was not present at the time of the meeting.

Councilmember Murphree motioned to continue discussion about SUB 04-10 to the next council meeting which will take place on Tuesday, December 7, 2004, when all documentation is present. Second was made by Councilmember Baker. The motion passed unanimously, 6-0.

### **Agenda Items 6.13 – SUB 04-34.**

The City Council discussed and took action on the Final Plat approval for the "Dunn Ranch Final Plats Unit 1-Unit 3." These 3 plats encompass a  $\pm$  142 acre development with a total of 640 lots located at the southeast corner of Bowlin Road and John Wayne Parkway.

Councilmember Dunn stated that he had nothing to do with this project. Councilmember Murphree stated that Council had extensive questions and would like to see the applicant meet with staff to work out all issues.

Councilmember Farrell motioned to table agenda item SUB 04-34. Second was made by Councilmember Baker. Motion passed unanimously, 6-0.

Councilmember Dunn stated that if there are problems then the applicant needs to meet with staff to work things out. Vice-Mayor Murphree stated that the Council needs more time to look at the information provided and to get recommendation from the Planning and Zoning Commission.

### **Agenda Item 6.14 - SUB 04-33.**

The City Council discussed and took action on the Final Plat approval for the "El Rancho Santa Rosa Final Plats Unit 1-Unit." These seven plats encompass a  $\pm$  200 acre development with a total of 720 lots located adjacent to Farrell Road and the Casa Grande Highway just west of Porter Road.

Mayor Anderson stated that the applicant met with the Planning & Zoning Committee back on September 27, 2004 and at that time there were four (4) or five (5) items that the Committee would like to see resolved at staff level considering the amount of time that this project has taken up of our staff time. Mayor Anderson stated that he would like the applicant to work in earnest with staff at their timeline and discretion. Councilmember Farrell recommended that the applicant meet with the Public Works Committee to address their roadway issues. Council would like the applicant to meet with staff to work out all issues. They would also like the applicant to provide written verification approving the road that traverses state land. Vice-Mayor Murphree would like the applicant to return to council when all items have been worked out. Mr. Murphree specifically instructed the applicant that this does not mean the next Council meeting.

Councilmember Murphree motioned to table agenda item SUB 04-33. Second was made by Councilmember Farrell. Motion passed unanimously, 6-0.

### **Agenda Item 7.0 – Report from Mayor**

Mayor Anderson turned it over to City Manager/ City Clerk Rick Buss to introduce new hires and promotions. Mr. Buss introduced new hires Brandy Schade, Assistant Planner and Administrative Assistant, Tanya Gardea. Mr. Buss also introduced the promotion of Vanessa Bueras to Deputy Clerk. Mayor Anderson also asked Councilmember Farrell to report about his visit along with Mr. Buss, to Oracle, AZ. Councilmember Farrell stated that he and Mr. Buss made a presentation about the incorporation process to community members in Oracle, AZ.



## Meeting Minutes

**Agenda Item 8.0 – Call to the Public**

Mayor Anderson reported about his presence during the presentation of a 2004 Chevy Silverado food delivery van at Harrah's Casino for the Meals on Wheels program on November 11, 2004. Mayor Anderson thanked everyone that attended this event. Mayor Anderson also spoke briefly about his meeting with Supervisor Elect David Snider and City Manager/City Clerk Rick Buss. Mayor Anderson mentioned that they talked about the visions for the city and how they're going to partner together for the future.

Margaret Jackson addressed the council offering a personal invitation to an event that is going to be held at the Church of Jesus Christ of Latter-Day Saints.

David Snider addressed the council stating that he wants to reassure that the county will be here to collaborate with the city on a number of different projects bringing business to Pinal County. Mr. Snider stated that he looks forward to working with the City of Maricopa for the next four years.

**Agenda Item 9.0 -- Executive Session**

There was no executive session.

**Agenda Item 10.0 -- Adjournment 8:07 pm**

Councilmember Baker motioned to adjourn. Second was made by Councilmember Farrell. The motion passed unanimously, 6-0.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Maricopa City Council held on the 16<sup>th</sup> day of November, 2004. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 30<sup>th</sup> Day of November 2004,

Vanessa Bueras, Deputy Clerk



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

TERRY GODDARD  
ATTORNEY GENERAL

CIVIL DIVISION  
TRANSPORTATION SECTION  
WRITER'S DIRECT LINE: 602.542.8855

**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR04-1578TRN (**JPA 04-092**), an Agreement between public agencies, i.e., The State of Arizona and The City of Maricopa, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: January 12, 2005

TERRY GODDARD  
Attorney General

A handwritten signature in cursive script, reading "Susan E. Davis", is written over a horizontal line.

Susan E. Davis  
Assistant Attorney General  
Transportation Section